

Exhibit B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

<hr/>		x
		:
INNOVATION VENTURES, LLC; LIVING		:
ESSENTIALS, LLC; and INTERNATIONAL		:
IP HOLDINGS, LLC,	12 Civ. 5354 (KAM) (RLM)	:
		:
Plaintiffs,		:
	PLAINTIFFS' INITIAL	:
- against -	DISCLOSURES PURSUANT	:
	TO FED. R. CIV. P. 26 (a)(1)	:
ULTIMATE ONE DISTRIBUTING CORP.,		:
<i>et al.</i> ,		:
		:
Defendants.		:
<hr/>		x

PLAINTIFFS' RULE 26(a)(1) INITIAL DISCLOSURES

Plaintiffs Innovation Ventures, LLC, Living Essentials, LLC, and International IP Holdings, LLC (collectively, "Living Essentials" or "Plaintiffs"), by its attorneys, hereby submit the following Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedures. These Initial Disclosures are based on information reasonably available to Living Essentials as of the date hereof. Living Essentials reserves the right to supplement these disclosures as circumstances warrant. In addition, Living Essentials expressly reserves all objections to the use, for any purpose, of this Initial Disclosure or any of the information referenced herein in this case or any other case or proceeding.

By making these disclosures, Living Essentials does not represent that it is identifying every document, tangible thing, or witness possibly relevant to all issues that may eventually be raised in this lawsuit. Pursuant to Rule 26(a)(1) and other applicable Federal Rules of Civil Procedure, Living Essentials is not disclosing documents or information protected by the

Living Essentials reserves the right to supplement or amend these disclosures upon receiving subsequently filed pleadings, additional information about Defendants' claims and defenses, or upon further investigation in this case or in the related California Action.

III. Rule 26(a)(1)(A)(iii): Computation of Damages

As set forth in its Seventh Amended Complaint, Plaintiffs seek injunctive relief and monetary relief. Plaintiffs' monetary damages are based on: (a) statutory or actual damages, and costs and attorney's fees; (b) all ill-gotten profits from Defendants' manufacture, sale and/or distribution of the counterfeit 5-hour ENERGY® products; (c) Plaintiffs' lost profits; (d) Plaintiffs' remedial costs; and (e) pre-judgment and post-judgment interest. Plaintiffs also seek punitive damages from each Defendant found to have acted willfully.

IV. Rule 26(a)(1)(A)(iv): Insurance Agreements

At this time, Plaintiffs are aware of no insurance agreements applicable to this action.

Dated: New York, New York
February 28, 2013

PATTERSON BELKNAP WEBB & TYLER LLP

By: /s/ Geoffrey Potter
Geoffrey Potter
gpotter@pbwt.com
Michelle Cohen
mcohen@pbwt.com
Christos Yatrakis
cyatrakis@pbwt.com
1133 Avenue of the Americas
New York, New York 10036
(212) 336-2000

*Attorneys for Plaintiffs Innovation Ventures,
LLC, Living Essentials, LLC, and
International IP Holdings, LLC*